

County of San Diego
Valle De Oro Community Planning Group
P. O. Box 936
La Mesa, Ca 91944-0936

REGULAR MEETING MINUTES: February 16, 2010

LOCATION: Otay Water District Headquarters
2554 Sweetwater Springs Blvd.
Spring Valley, California 91978-2004
Training Room, Lower Terrace

1. CALL TO ORDER: 7:00 PM Jack L. Phillips, presiding Chair

Members present: Brennan, Brownlee, Feathers, Fitchett, Henderson, Hewicker, Hyatt, Manning, Millar, Mitrovich, Phillips, Ripperger

Members absent: Forthun, Reith, Wollitz

2. FINALIZE AGENDA: As shown

3. OPEN FORUM: None

4. APPROVAL OF MINUTES: Minutes of January 19, 2010 **VOTE: 8-0-3** to approve.
Abstained: Brownlee, Millar, Ripperger (Henderson late)

5. LAND USE

- a. AD10-004: Administrative Permit for existing 4'7" CMU wall and 7'x24' and 6'8" entrance gates along frontage at 9480 La Cuesta Drive. (Code violation complaint)

The project was presented by MANNING who went to property site and met with the owner, Ken Castro. A complaint had been filed claiming that the existing wall exceeded height limits. MANNING stated that there are 2 different heights restrictions for block wall and fences. Owner is asking for an Administrative Permit because he claims that his wall is within the setback. He believes it should be considered a fence. It is actually a 200' wall with CMU block on the bottom and wrought iron on top. It was constructed in 1995 along La Cuesta Drive, a private road narrower than a conventional road with a 20 mph speed limit. It is on a sharp blind curve. If someone comes around the curve when the keypad is being used the vehicle sticks out into road and can be a traffic hazard.

MANNING moves that due to a potential traffic concern that the keypad and gate need to be recessed up to 8' into property.

MILLAR asked if the gate is remote and owner responded that it is and that few people actually use keypad since the family all use remote openers. Harry Wurtz

of 9479 La Cuesta Drive lives across the street and has no problem with the wall as it is.

When exiting his driveway he is able to see a car if it is at the keypad. BROWNLEE asked if

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there is any accident data which there is not since it is a private road. HYATT said that it appears that a portion of the wall is built in the utility easement. The owner stated that he was not aware if the utility company knows about his wall or its location. BRENNAN asked who initiated complaint. The direct neighbor did not have the problem. There are many fence violations on the street in the same area.

(HYATT seconded). MANNING said that if this fence was not already there, we would never approve it. It is a safety issue. We need to do something about the wall to be responsible. Are we establishing any precedent? MANNING is not concerned about the height because, if permitted, it could be up to 12 feet. It is more attractive than neighboring fences but it is the gate that is the problem. MILLAR asked if there are any reports of incidences due to the gate. Again, since it is a private road, none were reported if there were.

The owner stated that when he pulled a permit for his solar panels, his neighbor didn't like it so he turned him in for the gate and fence. MILLAR says it is the best looking fence in the area and if it has been there for 15 years and hasn't been a problem until now it seems like it is due to a personal matter. PHILLIPS said that with any of these gated entries where a fence runs parallel to the road the gate should be setback so that vehicles who need to use the keypad aren't sticking out into the road. This road is narrow and winds around and vehicles could be hanging out into it. HYATT is concerned about the wall being in the utility easement. He wants to see something from the utilities saying they don't care if it is **VOTE: 8-4-0 to approve** the motion that the keypad and gate need to be recessed 8' into property. Mitrovich, Henderson, Millar and Brownlee voted against it.

- b. Right-of-Way Tree Removal: Request by property owner at 4325 Resmar Road for County to remove large eucalyptus tree from County right-of-way in front of their residence.

FEATHERS presented the project. She referred to Department of Public Works Vegetation Manager Bruce Yordt's report which received the tree removal permit application from the owner, Mr. Welch. Yordt evaluated the tree and found that it does not meet the criteria for their tree removal policy. The tree is in overall good health and shows normal signs of vigor with branches meeting the roadway minimum clearance of 14.5 feet. FEATHERS had visited the site and had taken photographs of the tree which were passed around to the Group members.

The owner states that he has problems with the tree due to falling branches almost killing people. Branches also fell and took down the power lines. The tree did not get trimmed until he requested it. The tree will grow back. It costs him money. It sucks water out of ground. It devalues his property. The next door neighbor's tree fell and hit his house in the past. The County says it's not their responsibility. The owner stated that twice it almost killed someone. A branch just missed his car. It is staining the ground. It is not on his property so he doesn't think he should have to pay for its removal. It's putting life at risk. It's not his tree. Why should he have to pay to remove it?

FEATHERS believes the tree is not a community resource and she moves to allow the homeowner to remove the tree at his expense. (Brennan seconded).

Bill Leek who lives across the street stated that prior to him purchasing his house, there were about 4 trees there. One blew down and took out part of a house, car and boat. PHILLIPS commented that the County arborist states the tree does not have a problem. It is 104 years old. DPW won't fund the removal but our Group is stating that the tree is not a significant community resource so that the owner can remove the tree if he wants to. Who pays for the removal is not our call. **Vote: 11-0-1 to approve.**

- c. P72-337W1M2: Foothills Methodist Church request to replace their existing monument sign at 4031 Avocado Blvd with a larger monument sign containing an electronic LED message center.

Group members HEWICKER and FITCHETT recuse themselves because they belong to church.

MILLAR presents. The Foothills Methodist Church is on Avocado north of Fury with 3 driveways. The project is to replace the existing sign in the middle of the property frontage with a new sign in the identical foot print and the identical location. The new sign may be a little taller. The only issue is the request to install a LED lighted message center on the new sign. These signs are legal with a permit but since Avocado Boulevard is a scenic corridor, we need to maintain the aesthetics. State law says these signs can't be a traffic distraction therefore they must be static. MILLAR proposed three restrictions. These include no moving characters (scrolling & flashing), no frequently updated messages (no changes more than once every 5 minutes), and turn off the messaging center at night (hours of operation shall be from 6 AM – 10 PM so as not to disturb sleeping neighbors). The sign will be facing north & south so the LED lights need to be bright enough to be seen. MILLAR moves to approve the new sign with the stated three restrictions. (MANNING seconded). PHILLIPS says we need to sustain scenic corridor along Avocado Boulevard. Even if it had an auto-dimming feature we would still like it to be off at night. FITCHETT stated that the existing sign is lit. The new sign will be down lit. An exception for the hours of operation will be to extend those hours for special events. **VOTE: 10-0-0 to approve (Hewicker & Fitchett recused).**

6. NEW BUSINESS

- a. General Plan Update Zoning Consistency Review: Presentation of County staff's initial draft consistency review for Valle de Oro and proposed combination of A70, A72, and S92 zones into one new Agricultural Rural (AR) use regulation. Existing VDOC PG policy is that General Plan Update changes to VDO land use should only occur to correct errors and to accommodate land uses made obsolete by the update (elimination of Impact Sensitive designation, etc.)

PHILLIPS presented. He addressed specific changes. He noted the A 70.1 zoning for sewer and slopes for lower density zones. He questioned if we want to do away with the Ag Zone A70 and replace it with rural residential. He questioned if we want to combine A70, A72 and S92. We don't have S92 in our area. This would be problematic because you can see the differences between A72 (Chicken Ranch) and A70. It wouldn't affect us if we replaced A70 with RR. If they do that and combine them all, would we want to support all those uses in A70 (estate residential 1 acre minimums). Correct Chase & Jamacha (Item 4u) which is

residential and neighborhood commercial. At Hillsdale Road & River Road there is a mobile park on site so we recommended fixing the mapping error and have mobile park portion of parcel remain at the higher density.

The other chart deals with the other map. A70, A72 and S92. Chicken Ranch, McGrath pit, Lamp air field, agricultural preserve. Zoning calls for much larger lots because they are on steep slopes and a large canyon. Proposal of 1L and 2L is not appropriate and they left it as it is zoned now.

Commercial zones in Casa De Oro have an added residential density of 40 but we'd like this removed.

Item 1U is to change a small Bancroft parcel from ½ C36 to all 4.3 dwelling units per acre.

Our existing policy kept us from changing existing zoning except for mistakes and apparent mistakes. Met with County but did not resolve the issue of combining zoning. PHILLIPS prefers RR with 1 acre minimum to A70 although it excludes some uses.

Continue not to change zoning we previously established.

- b. Department of Planning and Land Use elimination of existing operational support for planning groups.

PHILLIPS described the County's proposal for us to sign up for "service" which notifies you that something on the Valle De Oro website has changed.

PHILLIPS proposes that FITCHETT has our e-mail addresses and will send us all the agendas and minutes instead of the County.

7. UNFINISHED BUSINESS None

8. CHAIRMAN'S REPORT -- Reports, Announcements, Expenses, Appeals, Statement of Economic Interests (form 700) due by March 31, 2010

PHILLIPS states that the Planning Commission is holding ongoing hearings.

PHILLIPS requested reimbursement for expenses such as file folders, envelopes and a toner cartridge for a Dell printer amounting to \$134.36. **VOTE: 10-0-1** Hewicker abstained. (Manning left early)

9. ADJOURNMENT 9:03 PM

Submitted by Jösan Feathers